



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/286,249	04/05/1999	BRUCE W. STELMAN	HELLO-00308	4721
28960	7590	06/22/2006	EXAMINER	
HAVERSTOCK & OWENS LLP			HAROLD, JEFFEREY F	
162 NORTH WOLFE ROAD			ART UNIT	
SUNNYVALE, CA 94086			PAPER NUMBER	

2614

DATE MAILED: 06/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Allowability

Application No.

09/286,249

Applicant(s)

STELMAN, BRUCE W.

Examiner

Jefferey F. Harold

Art Unit

2646

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to request for continued examination of August 22, 2005.
2. ☒ The allowed claim(s) is/are 41-58 and 63.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
- ☐ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☒ Other 6 month Suspension

DETAILED ACTION

Information Disclosure Statement

1. The reference listed in the Information Disclosure Statement submitted on July 22, 2004 has been considered by the examiner (see attached PTO-1449).

Allowable Subject Matter

2. **Claims 41-58 and 63** are allowed.
3. The following is an examiner's statement of reasons for allowance:

Regarding **claim 41**, the prior art of record discloses a switch matrix, settable to any of a plurality of switch configurations. Each configuration coupling a plurality of signal lines from the handset port of a telephone to a plurality of signal lines from a headset, the plurality of lines from the handset port includes a handset port receive path, headset receive path; however the prior art of record failed to disclose or fairly suggest a switch matrix coupled to the plurality of ports that automatically determines which of the plurality of signal lines provides the preferred switch configuration thus coupling the handset port receive path to the headset receive path and sets the switch matrix to the preferred switch configuration.

Regarding **claim 51** the prior art of record discloses the prior art of record discloses a switch matrix, settable to any of a plurality of switch configurations. Each configuration coupling a plurality of signal lines from the handset port of a telephone to a plurality of signal lines from a headset, the plurality of lines from the handset port

Art Unit: 2646

includes a handset port receive path, headset receive path; however the prior art of record failed to disclose or fairly suggest a configuration wherein a variable gain circuit for modifying an amplitude of a signal transmitted on a headset transmit path is switchably coupled to a handset port transmit path wherein the control logic uses the variable gain circuit to generate audio test signals to determine the preferred handset/headset configuration and automatically sets the switch matrix to the preferred configuration.

Regarding **claim 56**, the prior art of record discloses a switch matrix, settable to any of a plurality of switch configurations. Each configuration coupling a plurality of signal lines from the handset port of a telephone to a plurality of signal lines from a headset, the plurality of lines from the handset port includes a handset port receive path, headset receive path; however the prior art of record failed to disclose or fairly suggest a switch matrix coupled to the plurality of ports that automatically determines with of the plurality of signal lines provides the preferred switch configuration thus coupling the handset port receive path to the headset receive path.

Regarding **claim 57**, the prior art of record discloses a process for configuring the telephone interface unit; consisting of receiving a test signal on a handset port receive path; setting the switch matrix of at least two switch configurations, and measuring a signal to determine the preferred configuration; however the prior art of record failed to disclose or fairly suggest automatically setting the switch matrix to a preferred switch configuration corresponding to the signal on the headset receive path with either a minimum or maximum value of the received test signal.

Regarding **claim 63**, the prior art of record discloses a telephone interface unit for configuring the telephone interface unit; consisting of receiving a test signal on a handset port receive path; setting the switch matrix of at least two switch configurations, and measuring a signal; however the prior art of record failed to disclose or fairly suggest automatically setting the switch matrix to a preferred switch configuration from at least two switch configurations, the preferred switch configuration corresponding to the signal on the headset receive path with either a minimum or maximum value and automatically adjusting a gain of the headset transmit path to match a gain of the handset port transmit path.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Interference

4. Claims 41-58 and 60-63 meet the requirements of 35 U.S.C. 135(b) even though claim of interference was made more than one year from the date on which U.S. Patent No. 5,792,603 (Huddart et al.) was granted. In addition, 35 U.S.C. 135(b) discloses that if the application for interference was not filed until more than one year after the issuance of the patent, an interference will not be declared unless at least one of the claims which were in the application, or in the parent application, prior to expiration of the one year period was for "substantially the same subject matter" as at least one of

the claims of the patent. In the instant application the claims were copied after the one-year issue date of U.S. Patent 5,792,603, thus applicant is basing the claim of interference on the parent application 08/625,398, for which a continuation was filed on April 5, 1999. The claims of application 08/625,398, specifically claim 1 as originally filed, was reviewed and compared with claims 1 of U.S. Patent 5,792,603 and the examiner has concluded that that applicant has met the requirement of "substantially the same subject matter". Hence the examiner has determined that a potential interference exists. Further, all claims are allowable. However, due to a potential interference, *ex parte* prosecution is SUSPENDED FOR A PERIOD OF SIX (6) MONTHS from the date of this letter. Upon expiration of the period of suspension, applicant should make an inquiry as to the status of the application.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jefferey F. Harold whose telephone number is 571-272-7519. The examiner can normally be reached on Monday - Friday 9 am - 5:30 pm.

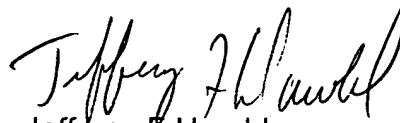
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh H. Tran can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2646

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JFH
March 16, 2006



Jefferey F Harold
Primary Examiner
Art Unit 2646